15-23500-rdd Doc 1 Filed 10/14/15 Entered 10/14/15 11:02:44 Main Document Pg 1 of 10

B1 (Official F	Form 1)(04		United								Vol	luntarv	Petition
			Sout	hern D	istrict of	f New Y	ork				V 01	iuiitai y	
Name of Del Stetler , A	*		er Last, First	, Middle):			Name	of Joint De	ebtor (Spouse	e) (Last, First	, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):							
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) xxx-xx-5207						Last f	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)						
Street Address of Debtor (No. and Street, City, and State): 22 Hawthorne Avenue Port Chester, NY							Street Address of Joint Debtor (No. and Street, City, and State):						
					Γ.	ZIP Code 10573							ZIP Code
County of Re Westche		of the Princ	cipal Place o	f Business			Count	y of Reside	ence or of the	Principal Pla	ace of Busi	ness:	•
Mailing Addı	ress of Deb	otor (if diffe	rent from str	eet addres	s):		Mailir	Mailing Address of Joint Debtor (if different from street address):					
						ZIP Code	<u> </u>						ZIP Code
Location of F (if different fi	Principal A From street	ssets of Bus address abo	siness Debtor ve):	:									
(Form c		f Debtor	one box)	Nature of Business (Check one box)			S	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)					
(Form of Organization) (Check one box) ■ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entities, check this box and state type of entity below.)			 ☐ Health Care Business ☐ Single Asset Real Estate as defin 11 U.S.C. § 101 (51B) ☐ Railroad ☐ Stockbroker ☐ Commodity Broker ☐ Clearing Bank 			s defined	☐ Chapter 7						
	-	15 Debtors		Other The A.F. 47							e of Debts		
Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:			Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).			le) zation states	Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for						
		•	heck one box	κ)			one box:		•	ter 11 Debt			
debtor is us Form 3A. Filing Fee	to be paid in aed application anable to pay waiver requ	n installments on for the cou fee except in	art's considerat installments.	ion certifyi Rule 1006(7 individu	ng that the b). See Officals only). Mu	ial Check	Debtor is not if: Debtor's agg are less than all applicabl	a small busi regate nonco \$2,490,925 (e boxes:		defined in 11 U	J.S.C. § 101	(51D).	ders or affiliates) ee years thereafter).
			ırt's considerat	ion. See Of	ficial Form 3	В. 🗆	Acceptances	of the plan w	vere solicited pr S.C. § 1126(b).		one or mor	e classes of ci	reditors,
Statistical/Ad ■ Debtor es □ Debtor es there will	stimates tha	t funds will t, after any	be available	erty is ex	cluded and	administra		es paid,		THIS	SPACE IS	FOR COURT	USE ONLY
Estimated Nu	umber of C 50- 99	reditors 100- 199		1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated As	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					
Estimated Lia \$0 to \$50,000	abilities \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion					

15-23500-rdd Doc 1 Filed 10/14/15 Entered 10/14/15 11:02:44 Main Document Pg 2 of 10

B1 (Official Form 1)(04/13) Page 2 Name of Debtor(s): Voluntary Petition Stetler, Andrew George (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Date Filed: Location Where Filed: - None -Date Filed: Location Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. X /s/ Dana P. Brescia October 13, 2015 Signature of Attorney for Debtor(s) (Date) Dana P. Brescia 0501 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

B1 (Official Form 1)(04/13) Page 3

Voluntary Petition

(This page must be completed and filed in every case)

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

▼ /s/ Andrew George Stetler

Signature of Debtor Andrew George Stetler

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

October 13, 2015

Date

Signature of Attorney*

X /s/ Dana P. Brescia

Signature of Attorney for Debtor(s)

Dana P. Brescia 0501

Printed Name of Attorney for Debtor(s)

Alter & Brescia, LLP

Firm Name

550 Mamaroneck Avenue Suite 401 Harrison, NY 10528

Address

Email: info@altergoldlaw.com (914) 670-0030 Fax: (914) 670-0031

(914) 070-0030 Fax. (

Telephone Number

October 13, 2015

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

 \mathbf{X}

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

Stetler, Andrew George

Signatures

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

X

Date

Address

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$75 administrative fee, \$15 trustee surcharge: Total Fee \$335)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$75 administrative fee: Total Fee \$310)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over

15-23500-rdd Doc 1 Filed 10/14/15 Entered 10/14/15 11:02:44 Main Document Pg 5 of 10

Form B 201A, Notice to Consumer Debtor(s)

Page 2

a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1,167 filing fee, \$550 administrative fee: Total Fee \$1,717)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$75 administrative fee: Total Fee \$275)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.

15-23500-rdd Doc 1 Filed 10/14/15 Entered 10/14/15 11:02:44 Main Document Pg 6 of 10

B 201B (Form 201B) (12/09)

United States Bankruptcy Court Southern District of New York

	2 3 373-			
In re	Andrew George Stetler		Case No.	
		Debtor(s)	Chapter 1	3
	CERTIFICATION OF L UNDER § 342(b)	NOTICE TO CONSU OF THE BANKRUP	•	5)
Code.	$C\epsilon$ I (We), the debtor(s), affirm that I (we) have rec	ertification of Debtor eived and read the attached	notice, as required by	§ 342(b) of the Bankruptcy
	w George Stetler	X /s/ Andrew (George Stetler	October 13, 2015
Printed	Name(s) of Debtor(s)	Signature of	Debtor	Date
Case N	To. (if known)	X		
		Signature of	Joint Debtor (if any)	Date

Instructions: Attach a copy of Form B 201 A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

Certificate Number: 16199-NYS-CC-026357442



CERTIFICATE OF COUNSELING

I CERTIFY that on October 11, 2015, at 11:00 o'clock PM EDT, Andrew George Stetler received from CC Advising, Inc., an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the Southern District of New York, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan <u>was not prepared</u>. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: October 13, 2015 By: /s/Adam Bradberry for Tiffany White-Wine

Name: Tiffany White-Wine

Title: Credit Counselor

^{*} Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. *See* 11 U.S.C. §§ 109(h) and 521(b).

15-23500-rdd Doc 1 Filed 10/14/15 Entered 10/14/15 11:02:44 Main Document Pg 8 of 10

United States Bankruptcy Court Southern District of New York

In re Andrew George Stetler	Debtor(s)	Case No. Chapter	13					
VERIFICATION OF CREDITOR MATRIX								
The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.								
Date: October 13, 2015	/s/ Andrew George Stetler							

Signature of Debtor

CAPITAL ONE ATTN: GENERAL CORRESPONDENCE P.O. BOX 30285 SALT LAKE CITY, UT 84130-0285

COHN & ROTH 100 E. OLD COUNTRY ROAD SUITE 28 MINEOLA, NY 11501

CONCETTA STETLER 6 HAWTHORNE PLACE RYE, NY 10580

HUDSON CITY SAVINGS BANK
MORTGAGE SERVICING DEPARTMENT
W. 80 CENTURY ROAD
PARAMUS, NJ 07652-1478

HUDSON CITY SAVINGS BANK CONSUMER CREDIT DIVISION P.O. BOX 522 PARAMUS, NJ 07652

INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA, PA 19101-7346

JEFFREY L. SAPIR, ESQ. CHAPTER 13 TRUSTEE 399 KNOLLWOOD RD., SUITE 102 WHITE PLAINS, NY 10603

JOHN A. PAPPALARDO, ESQ., REFEREE 200 E. POST ROAD WHITE PLAINS, NY 10601

MARRIOTT OWNERSHIP RESORTS, IN 6649 WESTWOOD BLVD.
SUITE 500
ORLANDO, FL 32821

NATALIE CHAVES, ESQ. HOLLAND & KNIGHT LLP 200 S. ORANGE AVE., STE.2600 ORLANDO, FL 32801

NYC DEPT. OF FINANCE 345 ADAMS STREET, 3RD FLO LEGAL AFFAIRS DIVISION BROOKLYN, NY 11201-3719

NYS DEPT TAX & FINANCE BANKRUPTCY UNIT P.O. BOX 5300 ALBANY, NY 12205-5300

NYS UNEMPLOYMENT INSURANCE FUN P.O. BOX 551 ALBANY, NY 12201

PARKING VIOLATIONS BUREAU 210 JORALEMON AVENUE BROOKLYN, NY 11201

SOUND FEDERAL, A DIVISION OF HUDSON CITY SAVINGS BANK W. 80 CENTURY ROAD PARAMUS, NJ 07652-1478

TRUSTEE OF FLINTLOCK 401K PLAN C/O PENSION CONSULTANTS 74 BATTERSON PARK ROAD FARMINGTON, CT 06032

UNITED STATES ATTORNEY - SDNY ATTN: TAX & BANKRUPTCY UNIT 86 CHAMBERS ST., 3RD FLOOR NEW YORK, NY 10007

UNITED STATES TRUSTEE'S OFFICE SOUTHERN DISTRICT OF NEW YORK 201 VARICK STREET, ROOM 1006 NEW YORK, NY 10004